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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/687,714 | 10/17/2003 | Kyle Brown | RSW920030135US1 | 4641 |
| 23307 | 7590 | 09/25/2006 | EXAMINER | |
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| | | | ART UNIT | PAPER NUMBER |
| | | | 3625 | |

DATE MAILED: 09/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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DETAILED ACTION

Response to Amendment

Applicant's amendment received on 07/27/2006 is acknowledged and entered.

The applicant has amended claims 1, 10, and 19. Currently, claims 1-27 are pending for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 8-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mourad et al. (US 2005/0010494) in view of Preist (US 6,892,186).

Claim 1.

Mourad et al. (hereinafter Mourad) teaches a method for internet e-commerce shopping guide comprising:

identifying said one or more commodities using one or more searchable identification parameters [0007], [0050];

defining a monitoring duration during which acquisition parameters for said one or more commodities will be monitored [0052];

monitoring a publicly-searchable, network-accessible database for acquisition parameters for said one or more commodities using said one or more searchable identification parameters [0050]; and

outputting results of said monitoring step [0050].

Mourad does not teach *plurality* of publicly-searchable databases.

Preist teaches an action method for electronic commerce wherein a user may select a plurality of auction entities to input a list of goods or services which the user wishes to monitor (col. 7, lines 45-55).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mourad to include plurality of publicly-searchable databases, as disclosed in Preist, because it would advantageously allow the user to attend more than one auction simultaneously without arranging a plurality of websites browsers supported by one or more computing entities to communicate with the plurality of auctions, as specifically taught by Preist (col. 2, lines 16-25).

Claim 2. The combination of Mourad and Preist teaches said method, wherein said one or more publicly-searchable databases includes shop-bot sites [0050].

Claim 3. Mourad teaches defining an overall duration for conducting said monitoring step; and defining a refresh interval for said monitoring step [0052].

Claim 4. Mourad teaches said method further comprising the step of: identifying one or more alarm conditions; and wherein said monitoring step further comprises at

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least the step of identifying the occurrence of one or more of said alarm conditions [0050].

Claim 5. Mourad teaches said method wherein said outputting step comprises at least the steps of: sending an email to a user of said method upon the occurrence of one or more of said alarm conditions [0050].

Claim 6. Mourad teaches said method wherein said outputting step comprises at least the steps of: sending an electronic page to a user of said method upon the occurrence of one or more of said alarm conditions [0031].

Claim 8. Mourad teaches said method wherein one of said one or more alarm conditions comprises an acquisition parameter reaching a predefined minimum value [0050].

Claim 9. Mourad teaches said method wherein said acquisition parameter comprises a sale price [0042].

System claims 10-15, 17-18 repeat the subject matter of method claims 1-9 respectively, as a set of apparatus elements rather than a series of steps. As the underlying processes of claims 1-9 have been shown to be fully disclosed by the teachings of Mourad, and Preist in the above rejections of claims 1-9, it is readily apparent that the system disclosed by Mourad, and Preist includes the apparatus to perform these functions. As such, these limitations are rejected for the same reasons given above for method claims 1-9, and incorporated herein.

Claims 19-24, 26-27 are rejected on the same rationale as set forth above in Claims 1-9.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Mourad and Preist teachings, as applied to claim 1, and further in view of Elston et al. (hereinafter Elston) (US 2002/0143655).

The combination of Mourad and Preist teaches all the limitations of claim 7 except sending an instant message to a user of said method upon the occurrence of one or more of said alarm conditions.

Elston teaches a remote ordering system for mobile commerce wherein the notification can be sent by an instant message [0674].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mourad and Preist to include sending an instant message to a user of said method upon the occurrence of one or more of said alarm conditions, as disclosed in Elston, because it would advantageously allow to avoid any delays in delivering time sensitive information.

System claim 16 repeats the subject matter of method claim 7, as a set of apparatus elements rather than a series of steps. As the underlying processes of claim 7 have been shown to be fully disclosed by the teachings of Mourad, Preist and Elston in the above rejections of claim 7, it is readily apparent that the system disclosed by

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Mourad, Preist and Elston includes the apparatus to perform these functions. As such, these limitations are rejected for the same reasons given above for method claim 7, and incorporated herein.

Claim 25 is rejected on the same rationale as set forth above in Claim 7.

Response to Arguments

In response to Applicant's argument that Mourad reference does not teach publicly searchable multiple databases, it is noted that Preist reference was applied for this feature.

In response to Applicant's argument that prior art does not teach defining a monitoring duration during which acquisition parameters will be monitored, it is noted that Mourad does, in fact, teach said feature. Specifically, Mourad teaches "*the data feed is usually established at least once per day*" which indicates a time interval and duration [0052].

In response to Applicant's argument that the prior art does not teach sending an instant message to a user, it is noted that Elston reference was applied for this feature. Specifically, Elston teaches that "*notification can be sent by an instant message*" [0674].

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mila Airapetian whose telephone number is (571) 272-3202. The examiner can normally be reached on Monday-Friday 9:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on (571) 272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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